

REMARKS

Applicant respectfully requests reconsideration of this application, as amended, and reconsideration of the Office Action dated July 14, 2005. Upon entry of this Amendment, Claims 1-13 will remain pending in this application.

In the Office Action, the Examiner rejected Claims 1-13 under 35 U.S.C. § 112, second paragraph, as being indefinite. Consequently, independent Claims 1, 6, and 11 have been revised to provide proper antecedent basis for the terms “the effect,” “the . . . perceptual quality of said signal,” “the value,” and “the set of said subjective quality estimates.”

Also in the Office Action, the Examiner noted a contradiction in the use of the term “combining” in Claims 1, 6, and 11. To correct any such contradiction, Claims 1, 6, and 11 have been amended to replace the term “combining” with the term “using.” Applicant submits that this amendment is supported by the specification and does not add any new material. In particular, the amendment is supported by the fifth paragraph, line 17, page 9 of the specification as originally submitted.

Lastly, the Examiner indicated on form PTO/SB/08B that he did not consider certain publications listed in Applicant’s information disclosure statements filed on March 22, 2005, and May 12, 2005, because a copy of the publications were not provided. In this regard, Applicant respectfully submits that a copy of each publication was included with Applicant’s information disclosure statements as shown by the Patent Application Information Retrieval (“PAIR”) system, and a copy of each reference is available from the PAIR system. Included with this Response is a printout of the image file wrapper for the present application from the PAIR system showing that the publications at issue (described as “NPL Documents”) are currently available and were received in the mail room of the U.S. Patent and Trademark Office on March 24, 2005, and May 13, 2005, with their respective information disclosure statement. For convenience, a second copy of each listed publication is also included with this Response. Applicant submits that the aforementioned information disclosure statements were filed in accordance with the procedural requirements of 37 C.F.R. § 1.97 and in

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Reply to Office Action of July 14, 2005

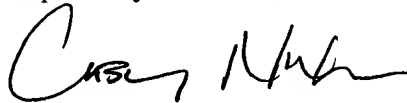
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compliance with the content requirements of 37 C.F.R. § 1.98, and respectfully requests consideration of the publications included therewith.

Applicant respectfully submits that this Amendment obviates the outstanding rejections in this case and places the application in condition for allowance. Allowance of this application is earnestly solicited.

If any additional fees are due in connection with the filing of this Amendment or the accompanying papers, such as fees under 37 C.F.R. §§1.16 or 1.17, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 041253.007. If an additional extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee also should be charged to SGR Deposit Account No. 02-4300, Order No. 041253.007. Any overpayment can be credited to Deposit Account No. 02-4300, Order No. 041253.007.

Respectfully submitted,



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